

PATENT COOPERATION TREATY **PCT**

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT (PCT Article 36 and Rule 70) 1 4 APR 2005

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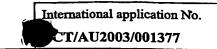
Applicant's or agent's file reference 021136PC/IDJ	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416).					
International Application No.	International Filing Data (day/month/year)	te	Priority Date (day/month/year)				
PCT/AU2003/001377	16 October 2003		17 October 2002				
International Patent Classification (IPC) or national classification and IPC							
Int. Cl. 7 A61K 31/7016, A61P 31/04							
Applicant							
ALCHEMIA PTY LTD et al							
This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.							
2. This REPORT consists of a total of							
This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule							
70.16 and Section 607 of the Ad	dministrative Instructions	under the PC1).					
These annexes consist of a total of sheet(s).							
3. This report contains indications relating to the following items:							
I X Basis of the report							
II Priority	II Priority						
III Non-establishment of o	pinion with regard to no	velty, inventive step	and industrial applicability				
IV Lack of unity of invent	IV Lack of unity of invention						
V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement							
VI Certain documents cite	VI Certain documents cited						
VII Certain defects in the i	VII Certain defects in the international application						
VIII Certain observations o	VIII Certain observations on the international application						
Date of submission of the demand		Date of completion	of the report				
8 January 2004		3 February 2004					
Name and mailing address of the IPEA/AU		Authorized Officer					
AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTR							
E-mail address: pct@ipaustralia.gov.au							

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. CT/AU2003/001377

I.		of the repor			
1.			ents of the international application:*		
	X the				
	the	description,	pages , as originally filed,		
			pages , filed with the demand,		
			pages , received on with the letter of		
	the	claims,	pages , as originally filed,		
			pages , as amended (together with any statement) under Article 19,		
			pages, filed with the demand,		
			pages, received on with the letter of		
	the	drawings,	pages , as originally filed,		
			pages, filed with the demand,		
			pages, received on with the letter of		
•	the	sequence list	ing part of the description:		
			pages, as originally filed		
			pages , filed with the demand		
			pages, received on with the letter of		
2.	2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item. These elements were available or furnished to this Authority in the following language which is:				
			a translation furnished for the purposes of international search (under Rule 23.1(b)).		
		• •	publication of the international application (under Rule 48.3(b)).		
		e language of d/or 55.3).	the translation furnished for the purposes of international preliminary examination (under Rules 55.2		
3.	With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:				
		•	international application in written form.		
	File	ed together w	ith the international application in computer readable form.		
		-	quently to this Authority in written form.		
			quently to this Authority in computer readable form.		
	in	The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.			
		he statement t een furnished	hat the information recorded in computer readable form is identical to the written sequence listing has		
4.	TI	he amendmen	ts have resulted in the cancellation of:		
		the de	scription, pages		
l		the cla	ims, Nos.		
		the dra	awings, sheets/fig.		
5.		his report has o beyond the	been established as if (some of) the amendments had not been made, since they have been considered to disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**		
*	Repla	cement sheets	which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).		
	=		et containing such amendments must be referred to under item 1 and annexed to this report		
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INTERNATIONAL PRELIMINARY EXAMINATION REPORT



V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1.	1. Statement					
	Novelty (N)	Claims 1-24	YES			
		Claims -	NO			
	Inventive step (IS)	Claims 1-24	YES .			
		Claims -	NO .			
	Industrial applicability (IA)	Claims 1-24	YES			
		Claims -	NO			

2. Citations and explanations (Rule 70.7)

Novelty (N) and Inventive Step (IS): Claims 1-24

D1 WO 1999/026956 A1 (INTERCARDIA INC) 3 June 1999

D2 WO 1998/053813 A1 (INTERCARDIA INC) 3 December 1998

D3 WO 2000/064915 A1 (IRL INC) 2 November 2000

D1 discloses moenomycin analogues and their use in the inhibition of bacterial growth. These compounds comprise two pyranose rings bridged by an oxo group, where the cyclic oxygen atoms are located ortho and meta to this bridging group.

D2 discloses a formula which includes within its scope two pyranose linked rings, however no information is given regarding the geometry of the cyclic oxygen atoms about the bond.

D3 discloses antibacterial disaccharides related to moenomycin that retain the ortho and meta relationship of the cyclic pyranose oxygen atoms to the bridging oxo group.

D1 and D3 are regarded as the closest prior art. These documents disclose the preparation of a range of antibacterial compounds structurally related to the known antibacterial agent moenomycin, which retain the ortho/meta geometry about the pyranose rings.

None of the citations discloses or fairly suggests a disaccharide wherein the two pyranose rings are bridged by an oxo group such that the cyclic oxygen atoms are located ortho and para to the bridging oxo group. Claims 1-24 are therefore novel and have an inventive step.

Industrial Applicability (IA): Claims 1-24

Claims 1-24 are industrially applicable.